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6 **United States District Court**
7 **Central District of California**
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9 CONNEX RAILROAD LLC; and
10 TRANSDEV NORTH AMERICA, INC.,

11 Plaintiffs,

12 v.

13 AXA CORPORATE SOLUTIONS
14 ASSURANCE and DOES 1-10, inclusive,
Defendants.

Case No. 2:16-cv-02368-ODW-RAO

**ORDER DENYING MOTION TO
CONTINUE HEARING ON MOTION
TO DISMISS [28]**

15 Pending before the Court are two Motions. The first is a Motion to Dismiss
16 Plaintiffs' Complaint for forum non conveniens pursuant to Rule 12(b)(3) filed by
17 Defendant AXA CORPORATE SOLUTIONS ASSURANCE ("AXA"). (ECF No.
18 14.) Second is a Motion to Continue the Hearing on the Motion to Dismiss filed by
19 Plaintiffs CONNEX RAILROAD LLC ("Connex") and TRANSDEV NORTH
20 AMERICA, INC. ("Transdev"). (ECF No. 28.) The Motions are fully briefed.
21 Having considered the parties' submissions, the Court finds that the factual record is
22 sufficiently developed to properly decide the Motions.¹

23 In circumstances "where pertinent facts bearing on the question of jurisdiction
24 are controverted or where a more satisfactory showing of the facts is necessary" to
25 make a fully-informed decision on the issue of personal jurisdiction, a court may grant
26 jurisdictional discovery. *Borschetto v. Hansing*, 539 F.3d 1011, 1020 (9th Cir. 2008).

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28 ¹ This Order has no effect on the Motion to Dismiss filed by Defendant Shindengen Electric Manufacturing Company, Ltd. (ECF No. 18.)

1 Without this discovery, the court would lack sufficient information to make an
2 informed decision. *See Seedman v. Cochlear Ams.* No. SACV 15-00366 JVS (JCGx),
3 2015 WL 4768239, at *6 (C.D. Cal. Aug. 10, 2015) (noting that limited jurisdictional
4 discovery “could establish specific jurisdiction”).

5 The parties raise strong arguments in support of their positions on the question
6 whether the Court must dismiss for forum non conveniens. The Court concludes,
7 however, that the additional discovery requested would not create a “reasonable
8 probability” that the outcome of the motion to dismiss would be different. *Laub v.*
9 *U.S. Dep’t of the Interior*, 342 F.3d 1080, 1093 (9th Cir.2003). The Court has the
10 facts necessary to make a fully-informed decision on the issue.

11 Accordingly, the Court **DENIES** Plaintiffs’ Motion to Continue Hearing on the
12 Motion to Dismiss. (ECF No. 28.)

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14 **IT IS SO ORDERED.**

15
16 July 13, 2016



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18 **OTIS D. WRIGHT, II**
19 **UNITED STATES DISTRICT JUDGE**
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